

## INFANT LIFE PROTECTION ACT 1915.

6 GEORGE V., No. 2670. An Act to consolidate the Law relating to the Protection of Infant Life and for other purposes.

[6th September, 1915.]

*Infant Life Protection Act*  
1890.

**B**E it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Short title and commencement.

1. This Act may be cited as the *Infant Life Protection Act 1915*, and shall come into operation on the first day of October One thousand nine hundred and fifteen.

Repeal.  
First Schedule.

2. The Acts mentioned in the First Schedule to this Act to the extent to which the said Acts are thereby expressed to be repealed are hereby repealed. Provided that such repeal shall not affect any regulation order or appointment made or any liability civil or criminal incurred or any right acquired or any matter or thing done under the said repealed Acts or either of them before the commencement of this Act.

Interpretation.  
*Infant Life Protection Act*  
1907 s. 4.

3. (1) In the construction of this Act unless inconsistent with the context or subject-matter—

“Board out” or “Boarded out” means the placing of an infant in the care or charge of some person for the purpose of being nursed or maintained by such person or in such person's house ;

“Infant” means child under five years of age ;

“Inspector” means a male or female inspector appointed pursuant to this Act or any Act hereby repealed ;

“Registered person” means person registered as the occupier of a house under this Act or any Act hereby repealed.

“Secretary” means Secretary of the Department for Neglected Children.

*Id.* s. 3.

(2) Anything done or commenced by the Chief Commissioner of Police under or pursuant to the *Infant Life Protection Act 1890* shall

for the purposes of this Act be deemed and taken to have been done or commenced by the said Secretary and all books records and documents necessary for the purposes of this Act may be transferred by the said Chief Commissioner to the said Secretary.

*Infant Life Protection Act 1907.*

4. The Governor in Council may, if deemed desirable, establish maternity homes, infant asylums, and also separate cottage homes for the care of infants and their mothers.

*Power of Governor to establish maternity homes and infant asylums.*

5. The Governor in Council may at any time and from time to time make regulations for all or any of the following purposes (that is to say) :—

*Ib. s. 6.*

*Power to make regulations.*

*Infant Life Protection Act 1890 s. 6.*

- (a) For prescribing how many registers shall be kept under this Act, and where the same shall respectively be kept ;
- (b) For prescribing the mode in which applications for registration under this Act shall be made, the mode in which registration shall be effected, and that in which entries shall be made in registers kept under this Act ;
- (c) For directing what particulars as to the persons and houses registered, in addition to those hereinbefore required, shall be inserted in such registers ;
- (d) For fixing the maximum number of infants to be retained in or received into houses of any particular class ;
- (e) For regulating the inspection from time to time of such houses and infants by inspectors and members of the visiting committees ;
- (f) For the appointment by the Minister of consulting and visiting committees and for the removal from office by the Minister of any member thereof and for prescribing the powers and duties of such committees ;
- (g) For prescribing the food to be given to and the care and management and medical treatment of infants boarded out under this Act ;
- (h) For prescribing the accommodation to be provided in registered houses ;
- (i) For prescribing conditions as to milk supply for boarded-out infants and the methods of storing milk for such infants ;
- (j) For the regulation management and inspection of maternity homes, infant asylums, and cottage homes ;
- (k) For fixing and determining the fees payable by or on behalf of infants' mothers placed in maternity homes, infant asylums, and cottage homes ; and
- (l) Generally for giving effect to and carrying out the provisions of this Act.

*Infant Life Protection Act 1907 s. 2*

*Ib. s. 7.*

Any such regulations may impose a penalty not exceeding Twenty-five pounds for any breach of the same, and any such penalty may be recovered before a court of petty sessions on the information of any inspector or of any member of the police force.

*Ib. s. 2.*

All regulations made under the authority of this section shall within two weeks of the making thereof be published in the *Government Gazette*.

*Infant Life Protection Act 1907 s. 8.*

Male or female inspectors may be appointed.

See 60 & 61 Vict. c. 57 s. 3. Powers of inspectors.

Penalty.

Houses where infants received or adopted to be registered.

*Infant Life Protection Act 1890 s. 4.*

*Infant Life Protection Act 1907 ss. 2 and 5*

Register of persons and houses to be kept.

*Infant Life Protection Act 1890 s. 5.*

*Infant Life Protection Act 1907 s. 2.*

When registration to be renewed.

6. (1) Subject to the provisions of the *Public Service Act 1915* the Governor in Council may appoint male or female inspectors to enforce the provisions of this Act and may at any time suspend or remove any such inspectors.

(2) Any such inspector may for the purposes of this Act enter and inspect any house registered thereunder and inspect any infant boarded out in such house and examine the registered occupier of such house in order to satisfy such inspector as to the proper care and maintenance of such infant and give any necessary advice or directions as to such care and maintenance.

(3) If any person registered as the occupier of any house registered under this Act or under any Act hereby repealed or any other person refuses to admit any inspector into any such registered house or obstructs such inspector in inspecting any infant therein or the premises in which any infant is retained or received or refuses to answer or answers falsely any questions such inspector may put for the purposes of this Act such person shall be guilty of an offence against this Act, and shall be liable to a penalty of not more than Ten pounds.

7. No person shall in consideration of any payment or reward at any time made or given or to be made or given to such person or to any other person on behalf of such person retain in or receive into her care or charge in any house any infant under the age of five years either—

(a) For the purpose of nursing or maintaining such infant apart from its parents for a longer period than three consecutive days ; or

(b) For the purpose of adopting such infant—  
unless such person is registered as the occupier of such house and such house is also registered under this Act.

No male person shall be so registered.

Any person offending against the provisions of this section shall be liable to imprisonment with or without hard labour for a term of not more than six months or to a penalty of not more than Twenty-five pounds.

8. The Secretary shall, subject to regulations to be made as hereinbefore provided, cause a register or registers to be kept in which shall be entered the name of any person being the occupier of any house registered for the purposes of this Act.

Opposite the name of any person so registered in any such register shall be entered particulars of the situation of such house, and such other particulars with respect to such person and such house the calling or occupation of such person and if she is a married woman the calling or occupation of her husband as may be directed by regulations to be made as hereinbefore provided.

Every such registration shall unless cancelled under the provisions of this Act remain in force until the thirty-first day of the month of December next following the making of such registration and no longer unless the same is renewed. Registrations may be renewed during the month of December in which the same expire and all such renewed registrations shall unless cancelled under the provisions of this Act remain in force for one year from the expiration of such month of

December in which the same are made. No fee shall be charged or taken for the making of any registration or renewed registration under this section.

*Infant Life Protection Act 1890.*

The person in whose charge such register is kept shall give to the person so registering a certificate under his hand of such registration or renewal which shall in all matters be *prima facie* evidence of such registration or renewal.

9. The Secretary may refuse to register any person applying for registration under this Act or to renew any registration unless he is satisfied by the production of certificates, or if he thinks fit to dispense with certificates by the production of any other evidence, that the person applying to be registered or for a renewal of registration is of good character and able to properly nurse and maintain any infants retained in or received into her care or charge in such house; and the Secretary may refuse to register or renew the registration of any house unless he is satisfied that such house is suitable for the purpose for which it is to be registered and situated in a suitable locality.

Secretary may refuse to register.  
*Ib. s. 8.*  
*Infant Life Protection Act 1907 s. 2.*

10. (1) Every registered person shall keep a roll in a form to be supplied by the Secretary, in which shall be forthwith entered by such person the names sex and age of each infant received into the care or charge of such person and the date at which such infant was so received.

Registered persons to keep a roll containing certain particulars.  
*Ib. s. 12.*

(2) Every registered person shall forthwith on receiving any infant as aforesaid forward a notice thereof to the Secretary.

Notice to Secretary.

(3) Forthwith after the removing from a registered house of any infant, whether before or on attaining the age of five years, such registered person shall enter in such roll the time of such removal and the names and addresses and calling or occupation of the person or persons by whom such infant was removed and if any such person is a married woman the address and calling or occupation of her husband, and shall forthwith forward notice of such removal to the Secretary.

Removal of infant to be entered on roll.

(4) Every such roll shall be at all times produced by the registered person when the production of the same is demanded by any inspector, and may be examined and perused and (if such inspector thinks fit) retained by such inspector.

Roll to be produced.

(5) If when so demanded any registered person neglects refuses or omits to forthwith produce or deliver up any such roll, or if any such person neglects refuses or omits to keep such a roll or to insert therein all the particulars prescribed by this section, or to forward a notice as herein required to the Secretary within three days after the receiving or removing (as the case may be) of each infant, such person shall be guilty of an offence, and shall be liable to imprisonment with or without hard labour for a term of not more than six months or to a penalty of not more than Twenty-five pounds.

Penalty for neglecting to produce roll or to keep it in proper form.

11. Any person who makes any false representation, or forges any certificate, or makes use of any forged certificate knowing it to be forged, with intent to obtain the registration either of such person or of any other person under this Act, or falsifies any roll kept in pursuance of the provisions of the last preceding section, or furnishes false particulars of any matter which is required to be entered in such

Forgery of certificates &c.  
*Infant Life Protection Act 1890 s. 10.*

*Infant Life Protection Act 1890.*

roll, shall be guilty of an offence against this Act, and shall be liable to imprisonment with or without hard labour for a term of not more than six months or to a penalty of not more than Twenty-five pounds.

Names may be removed from register.  
*Ib. s. 11.*

12. If at any time it is made to appear to the Secretary that any person registered as aforesaid has been guilty of neglecting or is incapable of providing the infants retained in or received into the care or charge of such person with adequate and proper food or attention, or that the registered house of such person has become unfit for the reception of infants, or if for any other reason it appears to the Secretary desirable in the public interest so to do, he may strike the name of such person and such house off the register and the registration thereof shall be thereby cancelled.

*Infant Life Protection Act 1907 s. 14.*

Ten days' previous notice in writing of his intention so to do shall be given by the Secretary to any such person whose name is about to be struck off the register, and such notice may be given by leaving the same at the registered house of such person. But the Secretary may at the time of giving such notice order the immediate removal of such infants from such registered house to the care of the Secretary who shall then be charged with the care of such infants until the removal of such infants by their respective parents or guardians or the return of such infants to such first-mentioned or their transfer to another registered house; and the said Secretary may recover the cost of the removal maintenance and clothing of and medical attendance on such infants from their respective parents or guardians.

Recovery of cost of removal &c.

Such cost shall be deemed to be a debt due to His Majesty by such parents or guardians and may be recovered in a summary manner before a court of petty sessions on the complaint of the Secretary or any person authorized in writing by him; and the cost of the maintenance and clothing of and medical attendance on any such infant shall be deemed to be One shilling for each day such infant is under the care of the Secretary.

Meaning of "parents."

In this section the word "parents" includes father mother step-father or stepmother and any person against whom an order of affiliation has been made as the putative father of an illegitimate child and includes mother or stepmother notwithstanding a father or step-father of the child is alive also the putative father of any illegitimate child which he has recognised as his although no order of affiliation has been made against such putative father.

Any such person on receiving such notice may within one week give notice in writing to the Secretary of her intention to appeal and when giving such notice shall deposit the sum of Twenty shillings with the Secretary. The Secretary shall thereupon refrain from striking off such person's name from the register and shall inform the Minister of such notice of appeal. The Minister shall thereupon fix a time for the hearing of such appeal of which due notice shall be given to the Secretary and person appealing; and the Minister shall at the appointed time proceed to hear the Secretary and the person appealing or their representatives and shall determine the appeal, and if he decides that such person's name shall be struck off the register the Secretary shall strike it off accordingly and the registration thereof shall be thereby cancelled and the sum of Twenty

shillings deposited as aforesaid shall be forfeited and paid into the consolidated revenue but otherwise the same shall be repaid to the person depositing the same.

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Any infants removed by order of the Secretary under the authority of this section and not restored to the custody of their parents or guardians shall if such registration is not cancelled be returned to the care or charge of such person as aforesaid and the decision of the Minister on such appeal shall not be subject to review in any court of law and shall be final and conclusive.

13. (1) Every registered person shall within twelve hours after the death of an illegitimate infant in her house or after the death of any infant in her care or charge other than her own children give or cause to be given notice thereof to the Secretary and also to the member of the police force in charge of the nearest police station; and such member shall inform the coroner or deputy coroner of the district or some justice of such death.

*Notice to be given of death of infant.*

*Infant Life Protection Act 1907 s. 16.*

(2) The coroner deputy coroner or justice shall hold an inquest on the body of such infant unless a certificate under the hand of a medical officer appointed pursuant to the regulations under the *Neglected Children's Act 1915* is produced to him certifying that such medical officer has personally attended or examined such infant, during its life-time and specifying the cause of its death, and unless the coroner deputy coroner or justice is satisfied that there is no ground for holding such inquest.

*See 60 & 61 Vict. c. 57 s. 8.*

(3) Where an inquest is held it shall be the duty of the coroner deputy coroner or justice holding such inquest to inquire not only into the immediate cause of death, but into all such circumstances as may throw any light upon the treatment and condition of the infant during life, and into any other matters into which in his opinion it is desirable in the interests of public justice that he should inquire; and the coroner deputy coroner or justice after holding such inquest shall report to the Chief Secretary the cause of death, and shall in such report make such remarks with respect to the matter as to him seem fit.

(4) No infant dying under the age of five years whilst in the care or charge or if illegitimate in the house of a registered person shall (unless such infant is the child of such person) be buried without the production of a certificate under the hand of such coroner deputy coroner or justice authorizing such burial or of a certificate signed by a member of the police force stating that such burial has been so authorized.

(5) If any registered person neglects refuses or omits to give notice of the death of an infant in accordance with the provisions of this section or if any person buries or causes to be buried any infant in contravention of the provisions of this section such person shall be guilty of an offence, and shall be liable to imprisonment with or without hard labour for a term of not more than six months or to a penalty of not more than Twenty-five pounds.

(6) The provisions of this section shall apply to the case of the death of every infant who has within two months previously to death been in the care or charge of any registered person and it shall be the duty of the occupier of the house in which such infant dies and of the

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person who has the care and charge of such infant at the time of such infant's death to give the notice required by sub-section (1) of this section.

(7) Except by direction of a coroner deputy coroner or justice it shall not be lawful for any legally qualified medical practitioner (other than a medical officer appointed pursuant to the regulations under the *Neglected Children's Act 1915*) to give a certificate of the cause of death of any infant to whom the provisions of this section apply. Any person who acts in contravention of this provision shall be guilty of an offence and shall be liable to a penalty of not more than Fifty pounds.

(8) Notwithstanding anything in the *Registration of Births Deaths and Marriages Act 1915* it shall not be lawful for any registrar of births and deaths to give to an undertaker or other person a certificate of the registration of the death of any infant to whom the provisions of this section apply unless authorized so to do by a coroner deputy coroner or justice or a member of the police force on behalf of such coroner deputy coroner or justice. Any registrar of births and deaths who acts in contravention of this provision shall be guilty of an offence and shall be liable to a penalty of not more than Fifty pounds.

Offenders against certain provisions of this Act not to be registered.

*Infant Life Protection Act 1890 s. 13.*

*Infant Life Protection Act 1907 s. 2.*

14. The name of every person convicted of an offence against this Act shall if such person be registered under this Act be at once removed from the register and the registration of every such person and of the house of such person shall be thereby cancelled.

No person convicted of—

- (a) retaining or receiving into her care or charge any infant under the age of five years without being registered as required by this Act; or
- (b) neglecting to give notice of the death of an infant as required by the last preceding section—

shall at any time thereafter be registered under this Act.

Application for permission to board out an infant.

*Ib. s. 9.*

Second Schedule.

15. (1) Any person who desires to board out an infant with a registered person shall make application to the Secretary in the form of the Second Schedule to this Act or to the like effect and shall include in such application a statement of the amount which he will pay weekly to the Secretary for the maintenance of such child.

Infant to be examined by a medical officer.

(2) The Secretary on receipt of such application shall cause such infant to be examined by a medical officer appointed pursuant to the regulations under the *Neglected Children's Act 1915*. If such medical officer reports that so far as he is able to determine such infant is free from syphilis or epilepsy or any disease which the Governor in Council may by order published in the *Government Gazette* declare to be of a serious nature and the Secretary is satisfied that the home is suitable he may grant such application in the form of the Third Schedule or to the like effect.

Third Schedule.

Weekly payment.

(3) No infant under the age of twelve months shall be boarded out for a sum of less than Ten shillings a week, nor when any infant has attained the age of twelve months for a sum of less than Seven shillings a week, nor in any case for a sum of more than Forty shillings a week.

(4) Payments for the maintenance of such infant shall be made through the Secretary and in no other way. **The Secretary shall not pay any registered person more than two weeks in advance for the maintenance of any infant boarded out with such person and no instalment of any such payment shall be paid after the death of such infant except for any arrears at the time of the death.**

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Payments to be made through Secretary.

(5) Where such weekly payments fall into arrear for a period of four weeks at any one time the infant in respect of whom such payments should have been paid shall thereupon become *ipso facto* a ward of the Department for Neglected Children under the *Neglected Children's Act 1915*.

Infant to become ward of Department on payments falling in arrear.

(6) Any person who either directly or indirectly pays or receives or agrees to pay or receive any payment for the boarding out of any infant otherwise than in pursuance of the provisions of this section shall be liable to a penalty of not more than One hundred pounds with or without imprisonment with or without hard labour for a term of not more than one year.

Penalty for receiving payment for maintenance &c. of infant contrary to this section.

**16. (1) The Secretary shall keep every application for permission to board out an infant and shall enter the same in a book to be kept for that purpose to be called the "Private Register."**

Information as to parentage of infant to be treated as confidential.

(2) Such application and register shall be kept in the Secretary's own custody and shall not be inspected by any other person except on the order of the Chief Secretary or where it is necessary to take proceedings for the recovery of maintenance under the *Neglected Children's Act 1915*.

*Ib. s. 10.*

**17. If any medical officer appointed pursuant to the regulations under the *Neglected Children's Act 1915* reports at any time that an infant boarded out with a registered person has developed syphilis or epilepsy or any disease which the Governor in Council by order published in the *Government Gazette* declares to be of a serious nature such infant shall be removed by the parents or guardians of such infant from the control of such registered person or taken before the children's court for committal to the care of the Department for Neglected Children.**

Syphilitic infant to be removed from control of registered person.

*Ib. s. 11.*

**18. Every infant in the care or charge of any registered person (other than her own children) shall be under the medical care of a medical officer appointed pursuant to the regulations under the *Neglected Children's Act 1915* to give medical attendance to wards of the Department for Neglected Children boarded out under the provisions of section thirty of the said Act, and it shall be the duty of such medical officer to see such infant and of such registered person to permit and take such infant to be seen by such medical officer at such times and on such occasions as may be prescribed by regulations under this Act.**

Medical treatment of infants.

*Ib. s. 13.*

**19. Sections five to eighteen both inclusive shall not apply—**

(a) to any infant being a ward of the Department for Neglected Children;

Exceptions from the operations of certain sections of the Act.

(b) to any infant retained by or received into any public charitable institution approved by the Minister;

*Ib. s. 17.*



*Infant Life Protection Act 1907.*

- (c) in the case of an infant whom the Minister by order under his hand exempts from the operations of such section on the ground that he is satisfied that such infant is a relative of the person in whose charge or care it is retained or received or that for any other reason he is satisfied that it is unnecessary or undesirable that such provisions should apply ;
- (d) during a period of eight days in the case of any infant in respect to whom any justice suspends such provisions for such period to enable an order from the Minister to be obtained as hereinbefore provided.

Infant to become a ward of the Department for Neglected Children in certain cases. *Ib. s. 15.*

20. (1) Where any infant temporarily removed to the care of the Secretary under the provisions of section twelve of this Act is not returned to the registered house from which such infant was removed or is not transferred to another registered house or is not removed from the care of the Secretary by such infant's parent or guardian within one month after being so taken under the care of the Secretary, then such infant shall without further or other authority become a ward of the Department for Neglected Children within the meaning of the *Neglected Children's Act 1915*.

(2) The Secretary shall by writing under his hand determine the periodical sums not exceeding Twelve shillings per week which the parents or guardians of such infant shall be liable to pay for or towards the maintenance of any such infant and in determining such liability the Secretary shall have regard to the provisions of Part VII. of the *Neglected Children's Act 1915* so far as they can be applied to the determining of such periodical sums and the persons by whom they are to be paid ; and the same consequences shall thereupon ensue as if such infant had been committed upon an order of the children's court under Part III. of the said last-mentioned Act and as if such court or justices (as the case may be) had fixed the periodical sums to be paid by the parents or guardians at the sums so determined by the said Secretary.

(3) In any proceedings for the recovery of any amount due under the provisions of this section a determination in writing of the periodical sums payable on account of the maintenance of any infant if purporting to be signed by the Secretary shall be evidence of the periodical sums payable for such infant.

Penalty for neglecting ill-treating or exposing children.

*Infant Life Protection Act 1890 s. 17.*

*Infant Life Protection Act 1907 s. 2.*

See 31 and 32 Vict. c. 192 s. 37.

21. If any person wilfully and without reasonable excuse neglects to provide adequate and proper food nursing clothing medical aid or lodging for any child in his or her care or custody or wilfully ill-treats or exposes any child or causes or procures any child to be neglected ill-treated or exposed, then if such child being a boy was under the age of fourteen years or being a girl was under the age of sixteen years and if any such neglect ill-treatment or exposure has resulted or appears likely to result in causing bodily suffering or permanent or serious injury to the health of such child such person shall be guilty of an offence against this Act, and shall be liable to imprisonment with or without hard labour for a term of not more than twelve months or to a penalty of not more than Fifty pounds.

Where any person is charged with an offence against a child under this section such child shall be deemed to be a neglected child within the meaning of the *Neglected Children's Act 1915*. Where subsequent to any such child having been committed to the care of the Department for Neglected Children it is found that such person so charged was not guilty of such offence such child shall without further or other authority than this Act be discharged and shall cease to be a ward of such Department.

*Infant Life Protection Act 1890.*

Custody of child pending hearing of charge.

*Infant Life Protection Act 1907 s. 18.*

**22.** The occupier of every house or place in which an illegitimate child is born shall within three days of the birth of such child give notice thereof in writing to the registrar of births and deaths for the district; but if such house or place is not situated within any city town or borough then such notice may be given either to the registrar or to the member of the police force in charge of police at the nearest police station, and may be given at any time within one week of the birth of such child.

Notice to be given of birth of illegitimate child within three days by occupier of house.

In country notice may be given not later than one week.

*Infant Life Protection Act 1890 s. 18.*

If the occupier of such house or place is the mother of such newborn child, such notice may be given at any time within three weeks of the birth of the child.

If mother occupier notice may be given not later than three weeks.

If any notice under this section is sent by post, it shall be posted at such time as to allow it in ordinary course of post to be delivered within the time hereinbefore specified.

Nothing in this section contained shall be construed to repeal or otherwise affect the provisions of the *Registration of Births Deaths and Marriages Act 1915*.

**23.** The occupier of every house or place in which an illegitimate child under the age of five years dies or to which the body of an illegitimate child who has died under the age of five years is brought, shall within three days of the death of such child give notice in writing of such death to the registrar of births and deaths for the district; but if such house or place is not situated within any city town or borough then such notice may be given either to the registrar or to the member of the police force in charge of police at the nearest police station, and may be given at any time within one week of the death of such child.

Notice to be given within three days of the death of an illegitimate child under the age of five years.

In country, notice may be given not later than one week.

*Ib. s. 19.*

If any notice under this section is sent by post, it shall be posted at such time as to allow it in ordinary course of post to be delivered within the time hereinbefore specified.

Nothing in this section contained shall be construed to repeal or otherwise affect the provisions of the *Registration of Births Deaths and Marriages Act 1915* nor the provisions of this Act hereinbefore contained, whereby persons registered under this Act are required to give notice of the death of an infant in their care or charge.

**24.** If any person wilfully or negligently omits to comply with the provisions of the two last preceding sections, such person shall be guilty of an offence against this Act, and shall be liable to imprisonment with or without hard labour for a term of not more than six months or to a penalty of not more than Twenty-five pounds.

Penalty for omitting to give notice of death of infant or of birth as required.

*Ib. s. 20.*

*Infant Life Protection Act 1890 s. 21.*

When information on oath, warrant may be issued to search premises for infringement of this Act.

**25.** If it is made to appear to any justice on information laid before him on oath that there is reason to believe that any person is offending against the provisions of this Act in any house or place, or that any of the provisions of this Act except those contained in section twenty-two are being infringed in any house or place, such justice may issue his warrant authorizing any member or members whatsoever of the police force to search any house place or premises therein named at any hour of the day or at any hour of the night not later than ten of the clock for the purpose of ascertaining whether there is or has been therein or thereon an infringement of the provisions of this Act.

Notice on adoption of child.

*Ib. s. 22.*

*Infant Life Protection Act 1907 s. 2.*

**26.** If any person adopts or takes over the entire care and charge of any child under the age of five years from its parents or guardians such person shall within fourteen days of so doing give or send notice thereof to the Secretary, and such person shall in such notice state his or her name and place of residence and occupation and the name and age of such child. If any person neglects refuses or omits to comply with the provisions of this section he shall be liable to imprisonment with or without hard labour for a term of not more than three months or to a penalty of not more than Fifteen pounds.

Nothing in this section shall excuse any person from making any other registration required by any other provision of this Act or from any penalty for omitting so to do.

Penalty for employment of any child in dangerous performances.

*Infant Life Protection Act 1890 s. 23.*

*42 & 43 Vict. c. 34 s. 3.*

**27.** Any person who causes any child under the age of fourteen years to take part in any public exhibition or performance whereby, in the opinion of any court of petty sessions, the life or limbs of such child is or are endangered, and the parent or guardian or any person having the custody of such child who aids or abets such first-mentioned person therein shall severally be guilty of an offence against this Act, and shall be liable for each offence to imprisonment with or without hard labour for a term of not more than twelve months or to a penalty of not more than Fifty pounds.

Compensation for accident to any child.

Where in the course of a public exhibition or performance which in its nature is dangerous to the life or limb of a child under such age as aforesaid taking part therein any accident causing actual bodily harm occurs to such child, the employer of such child whether the parent of such child or not shall be liable to be proceeded against by presentment indictment or information for and to be convicted of an assault, and on conviction shall be liable to be imprisoned with or without hard labour for a term of not more than twelve months or to a penalty of not more than Fifty pounds, and in addition if such employer is not the parent of such child the court before which such employer is convicted on such proceedings may award as compensation a sum of not more than One hundred pounds to be paid by such employer to the child or to some person named by the court on behalf of the child for the bodily harm so occasioned; provided that no person shall be punished twice for the same offence.

Evidence of age.

*Ib. s. 24.*

*Ib. s. 4.*

**28.** Whenever any person is charged with an offence against the last preceding section in respect of a child who in the opinion of the court trying the case is apparently of the age alleged by the informant, it shall lie on the person charged to prove that the child is not of that age.

29. Where any person has been committed for trial for the murder or manslaughter of any child under the age of five years, or for unlawfully and maliciously wounding or inflicting grievous bodily harm upon any child under the age of five years, or for negligently doing or omitting to do anything whereby grievous bodily injury has been caused to any child under the age aforesaid ; a law officer may, if he is satisfied that having regard to all the circumstances of the case it would be advisable in the interests of justice that such person should be tried by a special jury of twelve men, certify the same in writing to the prothonotary of the Supreme Court, and thereupon application may be made on behalf of His Majesty to a judge of the Supreme Court for an order for such person to be tried by a special jury, and such judge shall make such order accordingly and as of course.

*Infant Life Protection Act 1890 s. 25.*  
Provision for special jury on certificate of law officer.

30. (1) The Secretary shall on or before the last day of June in each year submit to the Minister a report as to all proceedings taken under this Act during the year ended on the preceding thirty-first day of December, and in such report shall include any particulars which the Minister directs to be included therein.

Annual report.  
*Infant Life Protection Act 1907 s. 19.*

(2) The Minister shall cause such report to be laid before both Houses of Parliament within three weeks after receiving the same if Parliament is then sitting or if not sitting then within three weeks from the next assembling of Parliament.

SCHEDULES.

FIRST SCHEDULE.

Section 2.

Number of Act.	Title of Act.	Extent of Repeal.
1198 ... ..	<i>Infant Life Protection Act 1890</i> ... ..	So much as is not otherwise repealed.
2102 ... ..	<i>Infant Life Protection Act 1907</i> ... ..	The whole.

SECOND SCHEDULE.

Section 15 (1).

APPLICATION FOR PERMISSION TO BOARD OUT AN INFANT.

To the Secretary of the Department for Neglected Children.

I, A. B. of \_\_\_\_\_ in the State of Victoria, hereby apply for permission to board out C.D. a [male or female] infant born on \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ with E.F. of \_\_\_\_\_ a person registered under the provisions of the *Infant Life Protection Act 1915*.

Name of such infant's—

(a) Father residence occupation  
(b) Mother residence occupation

I hereby agree to pay to the Secretary of the Department for Neglected Children the sum of \_\_\_\_\_ a week for the maintenance of such infant.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_

(Signed) A.B.

Section 15 (2).

## THIRD SCHEDULE.

## PERMISSION TO BOARD OUT AN INFANT.

Whereas A. B. of \_\_\_\_\_ having made application to me for permission to board out a [*male or female*] infant named C. D. born on the \_\_\_\_\_ day of \_\_\_\_\_ with E. F. of \_\_\_\_\_ a person registered under the provisions of the *Infant Life Protection Act 1915*, and the said A. B. having agreed to pay to me the sum of \_\_\_\_\_ a week for the maintenance of such infant, I hereby grant such permission.

If such weekly payments fall into arrears for a period of four weeks at any one time thereupon such infant becomes *ipso facto* a ward of the Department for Neglected Children and the parent or parents of such infant will be liable to be proceeded against under the provisions of the *Neglected Children's Act 1915* for the maintenance of such infant.

(Signed)

Secretary of the Department for Neglected Children.

## INFANTS' CONTRACTS.

[*See Supreme Court Act 1915.*]

## INFECTIOUS DISEASES.

[*See Health Act 1915.*]

## INHERITANCE.

[*See Real Property Act 1915.*]

## INNKEEPERS.

[*See Carriers and Innkeepers Act 1915 ; Licensing Act 1915.*]

END OF SECOND VOLUME.

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